

**§ 120102. Purposes**

"The purposes of the corporation are as provided in its articles of incorporation and include—

"(1) organizing, promoting, and maintaining for benevolent and charitable purposes an association of persons who have seen honorable service in the Armed Forces during the Korean War, and of certain other persons;

"(2) providing a means of contact and communication among members of the corporation;

"(3) promoting the establishment of, and establishing, war and other memorials commemorative of persons who served in the Armed Forces during the Korean War; and

"(4) aiding needy members of the corporation, their wives and children, and the widows and children of persons who were members of the corporation at the time of their death.

**§ 120103. Membership**

"Eligibility for membership in the corporation, and the rights and privileges of members of the corporation, are as provided in the bylaws of the corporation.

**§ 120104. Governing body**

"(a) BOARD OF DIRECTORS.—The board of directors of the corporation, and the responsibilities of the board of directors, are as provided in the articles of incorporation of the corporation.

"(b) OFFICERS.—The officers of the corporation, and the election of the officers of the corporation, are as provided in the articles of incorporation.

**§ 120105. Powers**

"The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

**§ 120106. Restrictions**

"(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

"(b) POLITICAL ACTIVITIES.—The corporation, or a director or officer of the corporation as such, may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

"(c) LOAN.—The corporation may not make a loan to a director, officer, or employee of the corporation.

"(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval, or the authority of the United States, for any of its activities.

**§ 120107. Duty to maintain corporate and tax-exempt status**

"(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of the State of New York.

"(b) TAX-EXEMPT STATUS.—The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

**§ 120108. Records and inspection**

"(a) RECORDS.—The corporation shall keep—

"(1) correct and complete records of account;

"(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

"(3) at its principal office, a record of the names and addresses of its members entitled to vote on matters relating to the corporation.

"(b) INSPECTION.—A member entitled to vote on matters relating to the corporation, or an agent or attorney of the member, may

inspect the records of the corporation for any proper purpose, at any reasonable time.

**§ 120109. Service of process**

"The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent is notice to or service on the Corporation.

**§ 120110. Liability for acts of officers and agents**

"The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

**§ 120111. Annual report**

"The corporation shall submit an annual report to Congress on the activities of the corporation during the preceding fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document."

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of subtitle II of title 36, United States Code, is amended by striking the item relating to chapter 1201 and inserting the following new item:

"1201. Korean War Veterans Association, Incorporated .....120101".

# AMENDING THE ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1400, and the Senate proceed to its immediate consideration.

The PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (S. 1400) to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to extend the deadline for aliens to present a border crossing card that contains a biometric identifier matching the appropriate biometric characteristic of the alien.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, today we will pass an important piece of legislation dealing with America's borders. This bill, S. 1400, has bipartisan support for extending the deadline requiring aliens to present a border passing card with a biometric identifier to enter the United States from Mexico. This deadline expired earlier this year. The bill would extend the requirement by one year to allow the State Department to finish the difficult job of converting the old border crossing cards used by Mexicans entering the United States.

This is a major task, and the State Department has already accomplished a great deal, issuing millions of new biometric border crossing cards. As our State Department continues to work to finish this task, however, we should not punish lawful Mexican workers who are still waiting for new cards, or the American businesses that depend upon them as customers and employees.

This bill is one piece of major border security introduced by Senators KEN-

NEDY and BROWNBAC. I am a proud cosponsor of their bill, S. 1749, the Enhanced Border Security and Visa Entry Reform Act. We should pass that bill in its entirety, and I hope that we do so before the end of this session. In the meantime, we should pass S. 1400 without delay. This measure's original sponsors were Senator KYL of Arizona and Senator BROWNBAC, the Ranking Republican on the Immigration Subcommittee of the Judiciary Committee. It is cosponsored by Senator GRAMM, Senator KENNEDY, Senator BINGAMAN, and Senator DOMENICI. I am glad to be able to accommodate them and urge prompt action by the Senate on this measure.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time, passed, and the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (S. 1400) was read the third time and passed, as follows:

S. 1400

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. EXTENSION OF DEADLINE FOR PRESENTATION OF CERTAIN BORDER CROSSING IDENTIFICATION CARDS.

Section 104(b)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note) is amended by striking "5 years" and inserting "6 years".

## YEAR OF THE ROSE

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 292 which is at the desk.

The PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 292) supporting the goals of the Year of the Rose.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, and any statements related thereto be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 292) was agreed to.

The preamble was agreed to.

## RECOGNITION OF THE SENATE STAFF

Mr. REID. Mr. President, the staff is working on a couple more items. While they are doing that, I would like to express to the Presiding Officer my best wishes for a happy holiday.

I would also like to, at this late hour, acknowledge the work done by the

staff of the Senate. I spend days with these people. The work of the Senate is done by the people who get no recognition but do so much of the work. Each of them are experts at what they do. People around here will be working until the wee hours of the morning. You and I may be here late—the last two to leave the Senate—but they will arrive at their homes sometime tomorrow morning. The last time we did the Defense bill, I talked to one member of the staff who went home at 5 a.m. that morning.

I want each of them to know that even though they do not get the recognition that we get, their jobs are just as important as ours. We in effect couldn't do without them. Every day they do things that help make us look as if we know what we are doing. Hopefully, we do most of the time, but if we don't, they take care of things, point us in the right direction.

I am personally indebted to the help that each of these fine public servants give to the people of the State of Nevada, the people of West Virginia, and this country.

I want the record spread with my good wishes for a happy holiday. In saying this, I speak for every Senator, Democrats and Republicans, we probably, as busy as we are, don't recognize how busy they are and in the process don't express our appreciation nearly as much as we should.

#### MEASURES READ THE FIRST TIME—H.R. 1432, H.R. 3487, H.R. 400, H.R. 3529, H.R. 2362, H.R. 3504, H.R. 2742, AND H.R. 3441

Mr. REID. Mr. President, I ask unanimous consent that it be in order for the following bills to receive their first reading and objection having been placed for further proceedings: H.R. 1432, H.R. 3487, H.R. 400, H.R. 3529, H.R. 2362, H.R. 3504, H.R. 2742, and H.R. 3441.

The PRESIDENT pro tempore. Without objection, the several requests are ordered.

#### ORDERS FOR WEDNESDAY, JANUARY 23, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 12 noon, Wednesday, January 23, 2002; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate be in a period of morning business until 12:30 p.m. with Senators permitted to speak for up to 10 minutes each, with time equally divided between Senators DASCHLE and LOTT or their designees; further that the Senate recess from 12:30 to 2:15 for the weekly party conferences.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### PROGRAM

Mr. REID. Mr. President, the Senate will conduct a live quorum when the Senate convenes. Therefore, the next rollcall vote will occur on Wednesday, January 23, at approximately 12 noon. As a reminder, the Senate photograph will be taken at 2:30 p.m. on Wednesday.

#### ADJOURNMENT SINE DIE

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the provisions of H. Con. Res. 295.

There being no objection, at 10:06 p.m., the Senate adjourned sine die.

#### NOMINATIONS

Executive nominations received by the Senate December 20, 2001:

##### DEPARTMENT OF AGRICULTURE

NANCY SOUTHWARD BRYSON, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF AGRICULTURE, VICE CHARLES R. RAWLS, RESIGNED.

##### SECURITIES AND EXCHANGE COMMISSION

PAUL S. ATKINS, OF VIRGINIA, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 5, 2003, VICE ARTHUR LEVITT, JR., RESIGNED.

CYNTHIA A. GLASSMAN, OF VIRGINIA, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2006, VICE LAURA S. UNGER, TERM EXPIRED.

##### ENVIRONMENTAL PROTECTION AGENCY

LINDA MORRISON COMBS, OF NORTH CAROLINA, TO BE CHIEF FINANCIAL OFFICER, ENVIRONMENTAL PROTECTION AGENCY, VICE SALLYANNE HARPER.

##### DEPARTMENT OF HEALTH AND HUMAN SERVICES

EVE SLATER, OF NEW JERSEY, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE DAVID SATCHEL, RESIGNED.

##### DEPARTMENT OF EDUCATION

WILLIAM LEIDINGER, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR MANAGEMENT, DEPARTMENT OF EDUCATION, VICE RODNEY A. MCCOWAN, RESIGNED.

##### OFFICE OF PERSONNEL MANAGEMENT

DAN GREGORY BLAIR, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT, VICE JOHN U. SEPULVEDA, RESIGNED.

##### DEPARTMENT OF JUSTICE

MATTHEW D. ORWIG, OF TEXAS, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE JOHN MICHAEL BRADFORD, RESIGNED.

##### FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, FOR THE PERSONAL RANK OF CAREER AMBASSADOR IN RECOGNITION OF ESPECIALLY DISTINGUISHED SERVICE OVER A SUSTAINED PERIOD:

JEFFREY DAVIDOW, OF VIRGINIA  
RUTH A. DAVIS, OF CALIFORNIA  
GEORGE E. MOOSE, OF COLORADO

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

##### DEPARTMENT OF STATE

GUSTAVIO ALBERTO MEJIA, OF FLORIDA  
GREGORY JOHN ORR, OF CALIFORNIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

##### DEPARTMENT OF STATE

KAREN L A EMMERSON, OF WEST VIRGINIA  
J. ALBERT TAYLOR, OF MARYLAND

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

##### DEPARTMENT OF STATE

MARK FLETCHER ELLIS, OF MAINE  
MARK F. MARRANO, OF TEXAS  
DENISON KYLE OFFUTT, OF WEST VIRGINIA  
JAMES KENT STIEGLER, OF CALIFORNIA  
ABDELNOUR ZAIBACK, OF MARYLAND

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

##### DEPARTMENT OF STATE

EDWARD L. ALLEN, OF ARIZONA  
GARY DEAN ANDERSON, OF TEXAS  
MICHELE BACK, OF MINNESOTA  
ALEJANDRO HOOR BAEZ, OF TEXAS  
ANDREA S. BAKER, OF VIRGINIA  
ROBERT ALLAN BARE, OF CALIFORNIA  
WILLIAM QUINN BEARDSLEE, OF COLORADO  
KATHY A. BENTLEY, OF TENNESSEE  
BRETT BLACKSHAW, OF NEW YORK  
MICHELLE A. BRADFORD, OF NEW JERSEY  
TOBIN JOHN BRADLEY, OF CALIFORNIA  
HEIDE BRONKE, OF NEW YORK  
STEVEN R. BUTLER, OF KENTUCKY  
JOHN R. BUZBEE, OF KENTUCKY  
CLAUDIA M. COLEMAN, OF TEXAS  
ROBERT MADISON CONOLEY, OF WASHINGTON  
RICHARD RANDALL CUSTIN, OF MICHIGAN  
JESSICA LEE DAVIES, OF CALIFORNIA  
GERALD A. DONOVAN, OF DELAWARE  
JAMES B. DOTY, OF VIRGINIA  
LEAH MICHELLE FENWICK, OF CALIFORNIA  
TIMOTHY THOMAS FITZGIBBONS, OF NEBRASKA  
RAFAEL P. FOLEY, OF NEW YORK  
DANIEL L. FOOTE, OF VIRGINIA  
ROBERT M. FREEDMAN, OF WASHINGTON  
PAUL N. FUJIMURA, OF CALIFORNIA  
ANDREA FRANCA GASTALDO, OF TEXAS  
MAUREEN GLAZIER, OF TEXAS  
GREGORY S. GROTH, OF CALIFORNIA  
BRIAN F. HARRIS, OF WASHINGTON  
MELANIE S. HARRIS, OF FLORIDA  
MICHAEL J. HAZEL, OF WASHINGTON  
PETER GRANT HEMSCH, OF CALIFORNIA  
ROBIN HOLZHAUER, OF WISCONSIN  
JEFFREY DAVID PRESTON HORWITZ, OF NEW YORK  
VIRGINIA MEADE HOTCHNER, OF VIRGINIA  
PAUL J. HOUGE, OF TEXAS  
DEENA JOHNSONBAUGH, OF WASHINGTON  
FREDERICK L. JONES II, OF CALIFORNIA  
VIVIAN KELLER, OF VERMONT  
MARY MARGARET KNUDSON, OF VIRGINIA  
MATTHEW A. KRICHMAN, OF CALIFORNIA  
BARBARA BETH LAMPSON, OF NEW JERSEY  
JENNIFER L. LANGSTON, OF CALIFORNIA  
INGRID D. LARSON, OF MARYLAND  
HILLARY MANN, OF THE DISTRICT OF COLUMBIA  
DAVID R. MCCAWLEY, OF CALIFORNIA  
DAVID L. MCCORMICK, OF MASSACHUSETTS  
MEREDITH C. MCVOY, OF COLORADO  
DANIEL FRANCIS MCNICHOLAS, OF ILLINOIS  
RACHEL L. MEYERS, OF CALIFORNIA  
TESS ANNETTE MOORE, OF TEXAS  
MATTHEW DAVID MURRAY, OF MARYLAND  
ROBERT S. NEUS, OF FLORIDA  
MARC A. NORDBERG, OF TEXAS  
SCOTT MCCONNIN OUDKIRK, OF VIRGINIA  
KRISTA A. PETERSON, OF NEW MEXICO  
CARLTON PHILADELPHIA, OF FLORIDA  
USHA E. PITTS, OF THE DISTRICT OF COLUMBIA  
THERESA ANN RENNER SMITH, OF MARYLAND  
ROGER CLAUDE RIGAUD, OF NEW JERSEY  
JEFFREY JAMES ROBERTSON, OF CALIFORNIA  
KEVIN S. ROLAND, OF MARYLAND  
STEVEN B. ROYSTER, OF VIRGINIA  
MICHAEL DEAN SESSUMS, OF FLORIDA  
DANNETTE K. SEWARD, OF WYOMING  
MAUREEN SHAHEEN, OF VIRGINIA  
MATTHEW L. SHIELDS, OF VIRGINIA  
SEIJI T. SHIRATORI, OF OREGON  
SUSAN M. SHULTZ, OF FLORIDA  
PHILLIP T. SLATTERY, OF CALIFORNIA  
RICHARD WILLIAM SNELSIRE, OF TEXAS  
JAMES BROWARD STORY, OF SOUTH CAROLINA  
TIMOTHY C. SWANSON, OF WYOMING  
WALTER RANDALL TOWNSEND, OF TEXAS  
VERNELE TRIM, OF VIRGINIA  
MICHAEL R. TURNER, OF TEXAS  
LIAN VON WANTOCH, OF CALIFORNIA  
DUNCAN HUGHITT WALKER, OF CALIFORNIA  
LISA LOUISE WASHBURN, OF TEXAS  
J. RICHARD WATERS III, OF ALABAMA  
MARGARET BRYAN WHITE, OF GEORGIA  
BENJAMIN V. WOHLAUER, OF THE DISTRICT OF COLUMBIA  
ALEISHA WOODWARD, OF WASHINGTON  
JEFFERY A. YOUNG, OF FLORIDA  
JOSEPH E. ZADROZNY JR., OF TEXAS

##### IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 1552, 12203 AND 12212:

##### To be colonel

DAVID E. BLUM, 0000

THE FOLLOWING NAMED OFFICERS FOR THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203 AND 12212:

##### To be colonel

JAMES C. COOPER II, 0000